Before the State of South Carolina Department of Insurance

In the matter of:

SCDOI File Number 2003-116817

Mr. Corey Wright d/b/a CJ's Bonding 6480 Camelot Street Columbia, South Carolina 29203

Consent Order Imposing Administrative Penalty

This matter comes before me pursuant to an agreement entered into between the State of South Carolina Department of Insurance and Corey Wright/CJ's Bonding, a licensed South Carolina resident Professional Bail Bondsman.

Upon review of this matter, I hereby find as fact, that Mr. Wright wrote Bonds in Lexington County, without having registered his license with their Clerk of Court. Mr. Wright acknowledges this and contends this failure resulted from inadvertence and oversight and not from any intent to avoid the requirements of the law. Nevertheless, these actions can ultimately lead to the revocation of his license to transact the business of insurance as an agent in South Carolina following a public hearing at the Administrative Law Judge Division pursuant to S.C. Code Ann. § 38-53-160 (Supp.2002).

Rather than awaiting the outcome of impending administrative disciplinary proceedings against him, Cory Wright and the Department agreed to submit the entire matter to me, along with their specific recommendation, for my summary decision. The consensual recommendation was: in lieu of the Department seeking to revoke Mr. Wright's license, he would waive his right to a public hearing and immediately pay to the Department an administrative fine in the total amount of \$500.00.

Section 38-53-260 of the South Carolina Code states, in pertinent part, "No professional bail bondsman may become a surety on an undertaking unless he has registered his current license in the office of the clerk of the circuit court in the county in which he resides and registered a certified copy of the license with the clerk of the circuit court in any other county in which he writes bail bonds. A surety bondsman shall also annually register a certified copy of his current power of appointment with the clerk of the circuit court where he resides and in any other county where he writes bail bonds on behalf of an insurer." Section 38-53-150(A) grants the Director of Insurance the authority to revoke "any license issued under this chapter for...(7) failure to comply with or violation of the provisions of Chapter 53 or of any order or regulation of the Director."

After a thorough review of the record, and pursuant to my findings of fact, I hereby conclude as a matter of law, that Cory Wright has violated S.C. Code Ann. § 38-53-260 (Supp. 2002). As a result, I can now take administrative disciplinary action against his resident surety agent's license. However, under the discretionary authority provided to me within S.C. Code Ann. § 38-53-150 (B)

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(Supp. 2002), and after carefully considering the recommendation of the parties, I hereby impose against Mr. Wright an administrative fine in the total amount of \$500.00. Cory Wright must pay that fine within fifteen days of the date of my signature upon this consent order. If he does not timely pay that total fine amount, both his license to transact business as a professional bail bondsman and that of CJ's Bonding will be revoked without any further disciplinary proceedings.

The parties have reached this agreement through negotiation and compromise and in consideration of the Department having never taken any administrative disciplinary action against either Cory Wright or CJ's Bonding before, of Cory Wright being current with all of his monthly filings, and of Cory Wright's assurance that in the future he will comply with the state's insurance laws, particularly that of registering his license with all Clerks of Court he conducts business through. The parties expressly agree and understand Cory Wright's payment of the agreed-upon penalty constitutes full accord and satisfaction of this matter.

By his signature upon this consent order, Cory Wright acknowledges that he understands that this administrative order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq*. (1991 and Supp. 2002).

Nothing contained within this administrative order should be construed to limit, or to deprive any person of, any private right of action under the law. Nothing contained within this administrative order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement officer or judicial officer. Nothing contained within this administrative order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. § 38-3-110(3) (Supp. 2002), of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the laws relative to the business of insurance or the provisions of this title which he considers necessary to report."

It is, therefore, ordered that Cory Wright shall, within fifteen days of the date of my signature on this consent order, pay through the Department an administrative fine in the total amount of \$500.00.

It is further ordered that a copy of this consent order be placed in Cory Wright's licensing file.

This consent order becomes effective as of the date of my signature below.

Ernst N. Ćsiszar Director

Columbia, South Carolina

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Cory Wright, dba CJ's Bonding 2009 Hampton Street, Suite B Columbia, South Carolina 29204.

Dated this // day of June, 2003